

Senator Westfall introduced a Joint Resolution "to pay the Travis Rifles for services rendered."

Read first time, and on motion of Senator Dillard, the rules were suspended, and Joint Resolution read second time.

Senator Friend offered the following amendment:

"At the end of Section 1, add the words: *provided*, that only those members who were personally present and acting as special sergeants-at-arms, shall be entitled to draw the pay above provided for."

Senator Parker moved to postpone the Joint Resolution to 10 o'clock A. M. to-morrow.

On motion of Senator Swift, the Senate adjourned.

SIXTIETH DAY.

SENATE CHAMBER,
Austin, March 26, 1874. }

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Stirman, Senator Allison was excused for to-day.

On motion of Senator Westfall, Senator Davenport was granted leave of absence for one week from to-morrow.

On motion of Senator Dillard, the Secretary of the Senate was excused to-morrow on account of sickness.

Senator Dwyer presented the following vote of thanks from the Irish-American Association:

IRISH-AMERICAN ASSOCIATION,
San Antonio, March 21, 1874. }

Be it resolved, That a vote of thanks be and the same is hereby tendered to the Senate of the State of Texas, for their kind consideration in the adjournment of their honorable body on the seventeenth of March, 1874, in honor of the Apostle of Ireland.

Attest:

JAMES MCSORLEY,
Corresponding Secretary.

Senator Bradley, for Committee on Privileges and Elections, submitted the following report:

Hon. R. B. Hubbard, President of the Senate :

SIR—Your Committee on Privileges and Elections, to whom you referred the memorial of C. B. Francis, claiming to have been elected Senator from the Sixteenth Senatorial District, as having received the highest number of votes cast for any eligible candidate, at an election held on the seventeenth day of February, 1874, for Senator of said district, and protesting against the seating of Matthew Gaines or Seth Shepard, etc., beg leave to report that said memorialist has not appeared before your committee, nor has he made any intimation whatever to your committee as to the procuring or taking of evidence to substantiate the allegations made in said memorial. Your committee, therefore, retain said memorial in their hands for future action, should said memorialist see proper to take any further steps in the matter, and are of opinion that it does not interfere with, and should not delay action upon the resolution heretofore reported by your committee, with reference to the seating of the Hon. Seth Shepard as Senator from the said district.

BRADLEY, for Committee.

Senator Ellis presented a petition from citizens of the county of Lavaca, asking the passage of "An act to incorporate the town of Moulton, in said county, and to prohibit the sale of intoxicating liquors therein." Read and referred to Committee on State Affairs.

Senator Parker, chairman Committee on Agriculture, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Agriculture, to whom was referred the petition from citizens of Lavaca county, asking for the enactment of a law "requiring stock to be kept in their enclosure, or under the immediate supervision of herds-men," have had the same under consideration, and have instructed me to report the same back to your honorable body, and recommend that no further action be taken therein, as the committee have already reported favorably on a similar bill, and deem such a law inexpedient at the present time.

C. A. PARKER, Chairman.

Senator Ireland, chairman Judiciary Committee, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill, No. 110, "An act to organize and define the powers of a criminal court for McLennan county," ask leave to return the bill, with the accompanying substitute, and recommend the passage of said substitute.

IRELAND, Chairman.

The title of the substitute referred to is "An act to establish a criminal court in and for the cities of Waco, Marlin, Calvert and Groesbeck, and defining the powers thereof."

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate Bill No. 285, "An act to allow J. W. Davis to hold two gift concerts, without the payment of the tax imposed on gift concerts, for the purpose of building a Baptist church and Masonic hall in the town of San Marcos, Hays county," recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 286, "An act to amend Articles 220 and 250 of the code of criminal procedure," ask leave to return the same, and recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 260, "An Act to amend sections 19 and 35 of 'An Act regulating elections,'" approved March 31, 1874, ask leave to return the same, with the recommendation, that it do not pass, for the reason, that a bill has already passed the Senate which covers the same subject matter.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 292, "An Act to create the office of Assistant Attorney-General, and prescribing the duties and salary of same," ask leave to return the same, and recommend its passage.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 273, "An Act to punish the use of obscene and vulgar language," ask leave to return the same, and recommend its passage.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill 275, "An Act to punish drunkenness," ask leave to return the same, and recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 262, "An Act to prevent the sale of poisonous or drugged liquors," ask leave to return the same, and recommend its passage.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 269, "An Act to amend article 2731 of Paschal's Digest, and article 263 of code of criminal procedure," ask leave to return the same, and recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 281, "An act to amend section 3 of 'An Act to enable district judges to make temporary appointment of district clerks,'" ask leave to return the same, and recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 278, "An Act to appoint a surveyor to run out and mark the line of the old Nacogadoches road," ask leave to return the same, and recommend its passage.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred

Senate bill No. 284, "An Act to amend article 751 of the penal code," recommend its passage.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary, to whom was referred Senate bill No. 271, "An Act to amend article 2732 of Paschal's Digest, article 264 of code of criminal procedure," ask leave to return the same, and recommend that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary, to whom was referred Senate bill No. 280, "An Act to incorporate the Irish Immigration and Colonization Association," ask leave to report the same back, with the remark, that while the committee is fully impressed with the importance of the proposed undertaking, and while the committee is further impressed with the fact that the population proposed to be introduced, is a hardy, honorable and a noble race, the committee finds itself checked by the constitution, and being unanimous in the opinion, that the proposed bill cannot be enacted into a law without a violation of the organic law, herewith return the bill, and reluctantly recommend that it do not pass.

IRELAND, Chairman.

Senator Erath, Chairman Committee on Private Land Claims, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Private Land Claims have considered House bill No. 22, "An Act relating to the headright claim of Louis Rousseau to three hundred and twenty acres of land," and instruct me to report the same back to the Senate, and recommend its passage.

G. B. ERATH, Chairman.

Senator Moore introduced a bill entitled "An Act to incorporate the Farmers' and Merchants' Bank of Paris." Read first time and referred to Judiciary Committee.

Senator Ledbetter introduced a bill entitled "An Act to regulate the adoption of children." Read first time and referred to Judiciary Committee.

Senator Bradley offered the following concurrent resolution:

Resolved, By the Senate, the House of Representatives concurring therein, First, That the Fourteenth Legislature adjourn *sine die*, at 12 m., on the tenth day of April, proximo. Second, That from and after the first day of April, preceding said adjournment, no bill, or concurrent or joint resolution, shall be introduced or received.

Senator Dillard moved that the rules be suspended to take up and consider the resolution offered by Senator Bradley. Lost.

The unfinished business being the consideration of Senate joint resolution "making an appropriation to pay the Travis Rifles, for services rendered," it was taken up.

Senator Westfall offered a substitute for the original joint resolution, entitled "An Act making an appropriation to pay the Travis Rifles." Read first time and adopted.

Senator Bradley offered the following amendment: Amend by adding that all citizens of the State of Texas, who were present at said time, shall, upon satisfactory proof of service rendered by them, be entitled to the same pay as is hereinbefore provided for the members of the Travis Rifles; and that the further sum of five thousand dollars be and the same is hereby appropriated for said purpose. Lost.

Senator Parker offered the following amendment: Strike out "eight" and insert "four dollars per day." Lost.

The question then recurring on the passage of the substitute it was lost by the following vote:

YEAS—Senators Ball, Bradshaw, Davenport, Dillard, Friend, Ireland, Joseph, Randle, Swift and Westfall—10.

NAYS—Senators Baker, Bradley, Burton, Dwyer, Ellis, Erath, Hobby, Ledbetter, Morris, Moore, Parker, Stirman and Wood—13.

The special order being the consideration of the report offered on yesterday by the committee on Privileges and Elections, it was taken up. The first resolution offered by the committee was adopted on yesterday, and the pending business being the consideration of the second resolution, it was considered, the resolution being as follows:

Resolved, That Seth Shepard, having received the highest number of votes cast for a qualified candidate at the special election for State Senator in the Sixteenth Senatorial District, held on the seventeenth day of February, 1874, is entitled to the position of Senator from said dis-

trict, and is entitled to be qualified and seated as such immediately.

Senator Ball moved to adopt the resolution.

Senator Ellis moved that it be postponed until Monday next at 11 A. M.

Pending the discussion, a message was received from the House announcing passage of House bill, No. 358, "An Act authorizing the Governor of the State to make cession and title to the United States of submarine sites for light-houses, and other aids to navigation;" also, that the House had refused to vote the address in the case of Judge L. W. Cooper, of the Third Judicial District, by a vote of thirty-nine ayes to forty nays.

On motion of Senator Ireland, Col. Seth Shepard was invited to address the Senate, in behalf of his claims to a seat as Senator in this body.

On motion of Senator Ball, the Senate took a recess of five minutes.

At the expiration of the time, the Senate was called to order.

Roll called ; quorum present.

Col. Shepard came forward and addressed the Senate.

The resolution was then adopted.

On motion of Senator Dillard, Col. Shepard then came forward to the President's desk, and took the oath of office.

On motion of Senator Ball, the Senate proceeded to vote on the causes set forth in the address against Judge L. W. Cooper, of the Third Judicial District.

Senator Ireland moved a call of the Senate. Call sustained.

Absent—Senator Russell.

Senator Ireland stated, that he learned that Senator Russell was sick.

On motion of Senator Ireland, the call was suspended.

Senator Wood asked that he be excused from voting, for the reason that he had just arrived from home, and had not studied the matter sufficiently to form an opinion.

On motion of Senator Parker, Senator Wood was excused.

Senator Shepard asked to be excused, for the reason that he had formerly been employed as counsel for the State in this case.

On motion of Senator Ellis, Senator Shepard was excused.

The President announced the question as follows: "Are the cause or causes set forth in the address against Judge L. W. Cooper, sufficient to vote his removal from said office?"

YEAS—Senators Ball, Baker, Bradshaw, Bradley, Camp, Davenport, Dillard, Ellis, Friend, Hobby, Ireland, Joseph, Parker, Swift and Westfall—15.

NAYS—Senators Burton, Dwyer, Erath, Flanagan, Ledbetter, Morris, Moore, Randle and Stirman—9.

It requiring two-thirds of the Senate to vote said address, it was not voted.

On motion of Senator Dwyer, the Senate adjourned.

SIXTY-FIRST DAY.

SENATE CHAMBER,
Austin, March 27, 1874. }

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Westfall, Secretary J. F. Beall was excused for the day, on account of sickness.

On motion of Senator Ball, Senator Dillard was excused indefinitely, on account of sickness in his family.

Senator Westfall presented a memorial from G. W. Honey, late Treasurer, "asking pay as State Treasurer during time of late suspension from duty, by order of process against him by the executive." Read and referred to Committee on Finance.

Senator Russell offered a petition in behalf of Mrs. A. A. Hamlet, "on account of depredations by Indians." Read and referred to Committee on State Affairs.

Senator Wood presented a memorial of citizens of Keechi, Leon county, "asking for a special peace officer in said village." Read and referred to Judiciary Committee.

Senator Wood presented a petition of Sam A. Reavis, "in reference to the assessment of taxes." Read and referred to Committee on Finance.

Senator Bradley, for committee on address against Judge